

**APPROVED AS AMENDED BY THE BOARD OF SELECTMEN**

**TOWN OF DARIEN  
BOARD OF SELECTMEN  
REGULAR MEETING  
JUNE 6, 2005**

**ATTENDANCE:** Evonne M. Klein, First Selectwoman; Joseph Miceli;  
Linda Santarella; Robert Harrel, Jr.; Barbara Thorne

**STAFF:** John Crary, Administrative Officer

**CALL TO ORDER**

The First Selectwoman called the Regular Meeting to order at 5:30 p.m.

**FIRST SELECTWOMAN'S REPORT**

The First Selectwoman reported that as they get closer to the Broadwater L&G Terminal project, they need to bring Broadwater in and have Sound Water in as well. Ms. Thorne suggested that the Coast Guard also be present. Ms. Klein stated that she would set something up over the next six weeks.

Ms. Klein reported that regarding the Glenbrook cable project, she was present at a roundtable discussion with CL&P in which they reviewed all the segments of the southern route and vault locations and the concerns each segment presented. She reported that the brief was filed today and they should have a decision from the Citing Council within thirty days.

Ms. Klein reported that a meeting has been set up for June 23<sup>rd</sup> with the residents of Brookside Drive and CL&P.

Ms. Klein reported that she received a request from Chris Camuti to change some of the parking spaces downtown to one hour parking in order to have quick in and out parking.

Ms. Klein reported that on May 18<sup>th</sup> some residents went to a meeting in Redding pertaining to invasive species. She stated that she was going to work together with the Garden Clubs to sponsor a lecture with them.

**ADMINISTRATIVE OFFICER'S REPORT**

Mr. Crary reported that the Friends of Woodland Park will begin dredging the pond and repairing the dam this week. He noted that the Town has contributed \$10,000 to the project in the capital budget.

Mr. Crary reported that he now has a draft of the Employee Guide. He stated that it was sent to the Board of Selectmen and is being circulated to Department Heads and he would appreciate comments and modifications as he would like to have it out by the end of the month.

### **NEW BUSINESS**

**a) Meet with Hugh Hayward, Dave Harms, Tim Wilson and Jim Morrin of the State DOT re: I-95 speed lanes.**

Representatives of the State DOT spoke to the Board about speed change lane proposals for I-95 interchanges in Darien. Hugh Hayward, the project manager, stated that I-95 has continually been identified as one of the most congested corridors in Connecticut and is a high priority for improvement. He stated that a Shoulder Initiative Analysis was taken that supports the use of auxiliary lanes on I-95 between Exits 8 and 18 to reduce congestion. He explained that a speed change lane is an auxiliary lane, 2000 feet or less, between the entrance and exit terminals where interchanges are closely spaced. It provides additional length for the acceleration or deceleration of vehicles entering and leaving the highway, thereby aiding in operational safety and efficiency. He continued that Phase I of the Implementation Plan will involve widening I-95 between Exits 10 and 11 north and south bound and Exits 11 and 12 north and south bound, approximately 14 feet, to provide a 12-foot wide speed change lane and a 12-foot shoulder where 10-foot right shoulders presently exist. Exit 13 will have a speed change lane going north bound only. He stated that these have been combined into three distinct projects.

Mr. Morrin stated that the first project is a \$5 Million improvement predicated by money being approved in the governor's budget. The delivery of the design of the plan is scheduled for October. The second project for the speed change lanes for Exits 10, 11 and 13 will cost \$10 Million and is scheduled for March 2007.

Mr. Harrel asked what the traffic impact would be. Mr. Harms replied that the three travel lanes would remain open because the work is on the edge of the roadway. He stated that they would work outside the Jersey barriers and the work would be done within working hours from 9:00 a.m. to 3:00 p.m. Dr. Miceli questioned why there was only one speed change lane scheduled for Norwalk. Mr. Norman replied that the study focused on the ease implementation and physically where they fell. He continued that the Darien ramps are closely spaced and they are the areas speed change lanes are appropriate. Dr. Miceli asked if they were taking any land and Mr. Norman replied they were not. Ms. Santarella asked what the timeframe would be for the project from start to finish. Mr. Harms replied that it would be one year for the first phase and 2 years for the two other projects. He stated that it was very early in the design stage. Mr. Norris pointed out that he looked at the number of accidents between Exits 10 and 8 southbound where an extra lane was put in and in the last two years accidents have gone down from 180-190 to 120-130.

Ms. Santarella asked about the noise barriers. Mr. Harms stated that there will be additional noise barriers and others are proposed to be relocated. Ms. Klein stated they would be hearing

from her regarding the sound barriers between Exits 10 and 13 where there is an Assisted Living Facility. She thanked the DOT representatives for coming down and reviewing the proposal.

**\*\* MR. HARREL MOVED TO AMEND THE AGENDA AND TO HEAR  
ITEM (I) AT THIS TIME.  
\*\* MS SANTARELLA SECONDED.  
\*\* MOTION PASSED UNANIMOUSLY.**

**i) Meet with Jack Whitehead, President Darien Public Works Union, re: Reconsider the elimination of a laborer position in Public Works.**

Mr. Whitehead stated that he was asking the Board of Selectmen to reconsider the deletion of a job within the Public Works Union. He reported that he could not find where a vote was taken to delete the position. Mr. Crary stated that it was deleted by the Board of Finance and that the Board of Selectmen's budget included the position, however the Board of Finance determined to eliminate the position and it was not necessary for the Board of Selectmen to vote.

Ms. Klein stated that it was agreed that this position would be the least harmful position to not fill because no one would be harmed. She reported there were a number of discussions held at the Board of Finance meeting and the Board of Selectmen were told to cut the position. Mr. Whitehead stated that it was not in the minutes of the April 3, 2005 Board of Finance meeting. Ms. Thorne stated that she felt very strongly about this and they very carefully tried to not cut a position and they agreed to not fill a vacancy. She continued that they tried very hard to protect the people and get the job done, but it was dictated by the Board of Finance. Ms. Klein stated that the Board of Selectmen were given 1 ½ weeks notice to do this and they felt the decision was the least harmful. Dr. Miceli stated that they tried to save all the positions. Ms. Klein stated that an internal study on the Town Hall organization will be conducted to have a better understanding of what they need.

Mr. Whitehead stated that they should have a vote on the decision in order to make a record of it. Mr. Harrel questioned if the Board of Finance wanted a dollar amount taken out of the budget. Ms. Santarella stated that she asked them what the dollar amount was, and what they were looking for, and they never gave them a dollar amount. Ms. Thorne stated they were told to eliminate a position with benefits. Ms. Klein continued that there was no compromise available and the order was to cut a position. She noted that the Board of Selectmen worked hard at keeping all the positions at Town Hall. Ms. Santarella stated that they needed to look at Charter Revision and increasing communication between the Board of Finance and the Board of Selectmen. She continued that it was important that the Town employees know that dealing with the Board of Finance was an unpleasant experience and that they were after personnel.

Mr. Whitehead stated that his membership has asked him to restore the position. Ms. Klein replied that it was so noted.

**b) Report from Peter Maglathlin of the High School Building Committee**

Mr. Maglathlin, Chairman of the High School Building Committee distributed and reviewed the project cost control report. He noted that they currently have \$251,313 in the Contingency account for unforeseen circumstances. He stated that money-wise they looked good and it was going to be close to budget. He pointed out the \$222,000 spent to date on fuel oil was for heating the school last winter. Mr. Maglathlin reported that there were \$1 ½ Million in claims against them, however the construction managers have told him to contest them. He reported that the project was on schedule and then reviewed a schematic of the building. He stated that Bldg. D, Athletic Complex, was completed, Bldg. C, Science Wing was finished and Bldg. E, Cafeteria, would be done in a few weeks. He continued that Bldg. B, Main Classrooms and Bldg. G, Classrooms, Health Offices and Special Education were completed, and there was work to be done in Bldg. F, Auditorium, which will be finished in July.

**\*\* MS. SANTARELLA MOVED TO HEAR ITEM (E) AT THIS TIME.**

**\*\* MR. HARREL SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

**e) Discuss and Take Action to accept gifts from:**

- **Dave Campbell, Doug Campbell and Peter Maglathlin to the High School construction project**

Ms. Klein stated that Dave Campbell, his father and Peter Maglathlin recently sold 11 Hummingbird Lane and wished to donate the profits of \$50,000 from the sale to the high school construction project. She stated the following furniture/equipment items will be purchased: wrestling mat, three ceramic kilns, tilting arbor table saw, milling machine, six display cases, auditorium podium, newspaper displays, and misc. music equipment. Ms. Klein stated that each of the items to be purchased totaled \$49,972.89.

Ms. Santarella commented that she spoke to Wayne Fox about not going to the RTM with this and that it would have been nice to have gone to the RTM. Mr. Harrel stated that it was due to a timing process.

**\*\* MR. HARREL MOVED TO ACCEPT THE GIFT OF A WRESTLING MAT, IN THE AMOUNT OF \$8,820, FROM DAVID CAMPBELL, DOUG CAMPBELL AND PETER MAGLATHLIN FOR THE HIGH SCHOOL CONSTRUCTION PROJECT.**

**\*\* MS. THORNE SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

**\*\* DR. MICELI MOVED TO ACCEPT THE GIFT OF THREE CERAMIC KILNS IN THE AMOUNT OF \$8,397, FROM DAVID CAMPBELL, DOUG CAMPBELL AND PETER MAGLATHLIN FOR THE HIGH SCHOOL CONSTRUCTION PROJECT.**

**\*\* MS. THORNE SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

**\*\* MR. HARREL MOVED TO ACCEPT THE GIFT OF A TILTING ARBOR TABLE SAW, IN THE AMOUNT OF \$4,677, FROM DAVID CAMPBELL, DOUG CAMPBELL AND PETER MAGLATHLIN FOR THE HIGH SCHOOL CONSTRUCTION PROJECT.**

**\*\* MS. SANTARELLA SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

**\*\* DR. MICELI MOVED TO ACCEPT THE GIFT OF A MILLING MACHINE, IN THE AMOUNT OF \$8,400, FROM DAVID CAMPBELL, DOUG CAMPBELL AND PETER MAGLATHLIN FOR THE HIGH SCHOOL CONSTRUCTION PROJECT.**

**\*\* MR. HARREL SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

**\*\* MS. SANTARELLA MOVED TO ACCEPT THE GIFT OF SIX DISPLAY CASES, IN THE AMOUNT OF \$9,945, FROM DAVID CAMPBELL, DOUG CAMPBELL AND PETER MAGLATHLIN FOR THE HIGH SCHOOL CONSTRUCTION PROJECT.**

**\*\* MS. THORNE SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

**\*\* MS. THORNE MOVED TO ACCEPT THE GIFT OF AN AUDITORIUM PODIUM, IN THE AMOUNT OF \$1,060.29, FROM DAVID CAMPBELL, DOUG CAMPBELL AND PETER MAGLATHLIN FOR THE HIGH SCHOOL CONSTRUCTION PROJECT.**

**\*\* DR. MICELI SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

**\*\* MR. HARREL MOVED TO ACCEPT THE GIFT OF NEWSPAPER DISPLAYS FOR THE LIBRARY, IN THE AMOUNT OF \$2,424, FROM DAVID CAMPBELL, DOUG CAMPBELL AND PETER MAGLATHLIN FOR THE HIGH SCHOOL CONSTRUCTION PROJECT.**

**\*\* MS. THORNE SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

**\*\* MS. THORNE MOVED TO ACCEPT THE GIFT OF MISC. MUSIC EQUIPMENT IN THE AMOUNT OF \$6,249,60, FROM DAVID CAMPBELL, DOUG CAMPBELL AND PETER MAGLATHLIN FOR THE HIGH SCHOOL CONSTRUCTION PROJECT.**

**\*\* DR. MICELI SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

- **School PTOs for a new DHS message center**

Ms. Klein referred to an email message from Kathleen Clarke stating that she had received six gifts in the amount of \$1,000 toward the new Darien High School Message Center. The gifts were from Holmes PTO, Hindley PTO, Royle PTO, Tokeneke PTO, Ox Ridge PTO, and DHS PTO.

**\*\* DR. MICELI MOVED TO ACCEPT THE SIX GIFTS OF \$1,000 TO BE USED TOWARDS THE NEW HIGH SCHOOL MESSAGE CENTER.**

**\*\* MR. HARREL SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

#### **c) Presentation by Pool Time**

Ms. Patty Schoen, Mr. Everett Drugge, Ms. Molly O'Brien and Ms. Laurie Oram were present and stated they were all residents of the Town of Darien for many years. Mr. Pat Morrissey, Executive Director of the YMCA, was also present.

Ms. Schoen reported that the Community Pool Time Committee was formed two years ago to address the concerns of the Darien swimming community for a new pool. She stated the concerns were from the children, parents and the elderly. She pointed out that the Darien YMCA pool has fulfilled the Town's needs for almost 50 years. She continued that Darien High School has the highest participation in sports in the State and the High School Swim Team has been State Champions for the last five years. She stated that the current situation is that the swimmers have to go to other Towns to practice five days a week and no one is happy about this. She noted that the Board of Education chose not to put an aquatics facility in the new high school. She then compared Darien's Aquatic Facility to neighboring Towns' facilities which showed that the Town's aquatic facility was deficient and not able to meet the needs of the people of the Town.

Mr. Morrissey reported that the Pool Time group is partnering with the Darien YMCA in an effort to bring another pool to the Town. He stated that the YMCA has agreed to financially

contribute to the project to help fundraise and manage the facility. He continued that the current gymnastics facility at Goodwives Shopping Center was also not adequate for the needs of the YMCA and the high school gymnastics program and by building a new facility that would combine the aquatic and gymnastics programs would address the program needs of the entire community.

Ms. Schoen stated that they researched several potential locations: the Diller property, the High School, Weed Beach, the Procaccini property and Tokeneke School. She reported that the best location was Hollow Tree School that now houses the Senior Center. She stated that the proposal is to build a 6 lane, 50 meter pool and a 30'X60' warm water pool, and replace the existing Senior Center with a new facility in the northwest corner of the parking lot. Mr. Drugge then reviewed the Conceptual Site Plan. Mr. Morrissey stated that the estimated cost of the aquatics/gymnastics facility would be \$10 Million and the estimated construction cost of the new Senior Center would be \$2 Million. He reported that it would be paid for by a public/private partnership and revenue from membership and programs would cover annual operating costs estimated at \$2 Million. The Town of Darien would be the owner of the facility and would be responsible for annual capital expenses estimated at \$100,000 per year.

Ms. Schoen stated that, in summary, it was time for a community pool because the Town desperately needs another pool, it will serve the needs of the entire community, and the plan effectively utilizes Town owned property. Dr. Miceli asked how they designed the Senior Center and Ms. O'Brien replied that it was modeled after the Ridgefield Senior Center. Ms. Thorne complimented the Committee on doing a wonderful job. Ms. Klein asked that the Senior Center Task Force come back with a recommendation and Mr. Harrel agreed that they get direction from the Senior Center Task Force. Ms. Santarella stated that she was serving on the Task Force and would reclude herself from Board discussion until the Senior Center Task Force meets. Ms. Klein stated that the Board had not received this information until today and they will continue to discuss it and the next steps to be taken on a future agenda.

**d) Honor high school student Griffin Bealle for his service as coordinator of the snow shoveling program**

Ms. Klein read a Certificate of Appreciation to Griffin Bealle commending him for spearheading the snow shoveling program for seniors for the past four years. She stated that a number of seniors had also called to extend their appreciation.

**f) Discuss and Take Action on recommendation of the Darien Sewer Commission for an appropriation to fund the Brushy Hill Road and Andrews Drive Sewer Extension**

Ms. Santarella questioned when this work was scheduled to be done. Ms. Klein replied that she did not know and that more information was needed on this before a vote could be taken.

**\*\* DR. MICELI MOVED TO TABLE THE ACTION OF THE DARIEN SEWER COMMISSION FOR AN APPROPRIATION TO FUND THE BRUSHY HILL ROAD AND ANDREWS DRIVE SEWER EXTENSION FOR MORE INFORMATION TO BE OBTAINED AND TO RECEIVE A SCHEDULE OF WHEN THE WORK IS TO BE DONE.**

**\*\* MS. SANTARELLA SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

- g) Discuss and Take Action on request to suspend sign ordinance for June 16, 2005 to permit sign(s) Welcoming Main Street Program**

Ms. Santarella asked where the sign going to be located and Ms. Klein replied that it was going to be on the marquis of the movie theatre for a day or two.

**\*\* DR. MICELI MOVED TO SUSPEND THE SIGN ORDINANCE FOR JUNE 16, 2005 TO PERMIT SIGN(S) FOR THE WELCOME MAIN STREET PROGRAM.**

**\*\* MS. THORNE SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

**h) Transfers:**

**Police Department**

The Town is obligated under the current collective bargaining agreement to reimburse officers for tuition and allowable expenses upon successful completion of approved college courses. While this education has assorted benefits to the Town, the account has been historically underfunded.

The Department presently has two legitimate requests for reimbursement that exceed the account balance. The Patrol-Full Time Wages account is presently showing a balance in excess of anticipated need due to staffing vacancies. Future transfer requests, absent these staffing shortages, would likely result in funds being requested from the contingency account.

**RESOLVED:**

**That the following transfer of appropriations is approved for referral to the Board of Finance:**

<b>FROM:</b>			<b>TO:</b>		
<b>Account No.</b>	<b>Account</b>	<b>Amount</b>	<b>Acct. No.</b>	<b>Account</b>	<b>Amount</b>
10302233 81001	Patrol Wages-FT	\$5,000	10302273 82005	Training-Tuition	\$5,000
	<b>TOTAL</b>	<b>\$5,000</b>		<b>TOTAL</b>	<b>\$5,000</b>



- \*\* MS. SANTARELLA MOVED TO APPROVE THE FOLLOWING TRANSFER OF APPROPRIATIONS FOR REFERRAL TO THE BOARD OF FINANCE: FROM ACCOUNT NO. 1030223381001, PATROL WAGES- FT, IN THE AMOUNT OF \$5,000, TO ACCT. NO. 1030227382005, TRAINING-TUITION, IN THE AMOUNT OF \$5,000.**
- \*\* MS. THORNE SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

### **Department of Public Works**

Rapidly escalating oil prices over the past 18 months have caused significant budget overruns in heating fuel and motor fuel accounts. The FY 2005 budget used a price of \$0.79 per gallon for heating fuel. Actual prices have averaged about \$1.60 per gallon. In addition, heating fuel consumption at the DPW garage was up 35% over the long term average. The good news is that heating fuel consumption at the Town Hall is down 17% from last year when adjusted for heating degree days due to the increased efficiency of the new boilers. Automatic deliveries have now been suspended for the remainder of the fiscal year. A total transfer of \$22,641 is requested from the Contingency Fund to offset the overruns.

### **RESOLVED:**

**That the following transfer of appropriations is approved for referral to the Board of Finance:**

<b>FROM:</b>			<b>TO:</b>		
<u>Account No.</u>	<u>Account</u>	<u>Amount</u>	<u>Acct. No.</u>	<u>Account</u>	<u>Amount</u>
Contingency Fund		\$6,140	10402144	83005	\$6,140
		\$16,000	10407012	83005	\$16,000
TOTAL		\$22,140	TOTAL		\$22,140

- \*\* MS. SANTARELLA MOVED TO APPROVE THE FOLLOWING TRANSFER OF APPROPRIATIONS FOR REFERRAL TO THE BOARD OF FINANCE: FROM THE CONTINGENCY FUND THE AMOUNT OF \$6,140, TO ACCT. NO. 1040214483005, AND FROM THE CONTINGENCY FUND THE AMOUNT OF \$16,000 TO ACCOUNT NO. 1040701283005 THE AMOUNT OF \$16,000 FOR A TOTAL OF \$22,140 FROM THE CONTINGENCY FUND.**
- \*\* DR. MICELI SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

## Department of Public Works

This past winter wreaked havoc with the winter maintenance budget statewide. The Department responded to snow and ice removal situations 17 times involving overtime pay. Snowfall totaled 53 inches, more than twice the average 23 inches. Extended hours of operation dealing with snow and ice translate to heavy overtime expenses, more fuel consumed, additional equipment repairs and more use of sand and salt. The single most significant storm occurred on January 22-24. The "Blizzard of '05" was later declared eligible for federal funding. The Town will receive approximately \$70K, \$42K of which offsets the overruns in the accounts listed.

### RESOLVED:

That the following transfer of appropriations is approved for referral to the Board of Finance:

FROM:			TO:		
Account No.	Account	Amount	Acct. No.	Account	Amount
Contingency Fund		\$21,000	10402144-83021	Ice Control Matls.	\$21,000
		\$62,000	10402144-81004	Overtime	\$62,000
		\$20,000	10402144-82041	Facility Rep & Maint	\$20,000
Parking Lot Ops		\$8,500	24848014-81004	Overtime	\$8,500
TOTAL		\$111,500	TOTAL		\$111,500

\*\* DR. MICELI MOVED TO APPROVE THE FOLLOWING TRANSFER OF APPROPRIATIONS FOR REFERRAL TO THE BOARD OF FINANCE: FROM CONTINGENCY THE AMOUNT OF \$21,000 TO ACCT. NO. 10402144-83021 ICE CONTROL MATERIALS, FROM CONTINGENCY, THE AMOUNT OF \$62,000 TO ACCOUNT NO. 10402144-81004 OVERTIME, FROM CONTINGENCY THE AMOUNT OF \$20,000 TO ACCOUNT NO. 10402144-82041 FACILITY REP AND MAINT., AND FROM PARKING LOT OPS THE AMOUNT OF \$8,500 TO ACCOUNT NO. 24848014-81004 OVERTIME, FOR A TOTAL OF \$111,500.

\*\* MS. THORNE SECONDED.

\*\* MOTION PASSED UNANIMOUSLY.

### PUBLIC COMMENT

There were no comments from the public.

**EXECUTIVE SESSION TO DISCUSS DEPARTMENT HEAD AND NON-UNION  
PERFORMANCE EVALUATIONS**

Mr. Crary stated that this item will be heard at the June 20<sup>th</sup> meeting.

**FORTHCOMING MEETINGS**

June 14, 2005	Board of Education meeting at 7:30 p.m.
June 14, 2005	Planning & Zoning Commission General meeting at 8:00 p.m.
June 15, 2005	Parks and Recreation Commission meeting at 7:30 p.m.
June 20, 2005	Board of Selectmen meeting at 7:30 p.m.
June 21, 2005	Board of Finance meeting at 7:45 p.m.
June 28, 2005	Board of Education meeting at 7:30 p.m.
June 28, 2005	Planning and Zoning Commission Public Hearing at 8:00 p.m.

**OTHER BUSINESS**

(A two-thirds majority vote is required to add an item to the agenda)

**\*\* MR. HARREL MOVED TO ADJOURN THE MEETING.**

**\*\* DR. MICELLI SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 8:00 p.m.

Respectfully Submitted,

Donna DeVito  
Telesco Secretarial Services